

App. Serial No. 10/527,946
Docket No.: NL 020846 US

Remarks

Claims 1-15 are currently pending in the patent application. For the reasons and arguments set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

Regarding the objection to the specification identified in paragraph 3 of the Office Action, Applicant appreciates the suggestion but respectfully declines. Such section headings are not statutorily required for filing a non-provisional patent application but are only guidelines that are suggested for applicant's use per MPEP §608.01(a).

Regarding the Abstract, Applicant has amended the Abstract to correct the typographical error as suggested by the Office Action, and requests that the objection be removed.

The non-final Office Action dated March 24, 2006 indicated two statutory rejections, specifically that: claims 1-5 stand rejected under 35 U.S.C. § 102(b) over Henrion (U.S. 6,198,360); and claim 6 stands rejected under 35 U.S.C. § 103(a) over Henrion in view of Albon *et al.* (U.S. 6,683,509).

In an effort to facilitate prosecution, Applicant has amended claim 1 to clarify elements of the claimed invention that should have been apparent in the claim limitations. Accordingly, the amendment does not represent new matter. Moreover, the amendment is supported, for example, by FIGs. 1-2 and the relevant discussion in the Specification.

Applicant has added claims 7-15, to further characterize various aspects of the present invention. Applicant submits that arrangement of claim 12 corresponds to the oscillator of claim 1 and merely clarifies the limitations of claim 1, while providing additional limitations. Moreover, Applicant submits that the "means" claim, claim 11 is a "linking claim" that links the claims of both groups, claims 7-10 (Group I) and claims 12-15 (Group II) and, by so linking them, pursuant to the MPEP §806.05(e), these claims are not to be restricted from one another but are to be examined together. Moreover, the new claims do not represent new matter as they are supported, for example, by FIGs. 1-2 and the relevant discussion in the Specification.

With respect to new claims 7-15, Applicant submits that the cited references do not teach each element of the claimed invention. For example, none of the cited

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With respect to new claims 7-15, Applicant submits that the cited references do not teach each element of the claimed invention. For example, none of the cited references teach generating buffered signals indicative of the capacitive and inductive current levels of the LC tank circuit. Moreover, the cited references do not teach adding the modulated signal and the amplified signal to provide a feedback signal to the LC tank circuit. Accordingly, Applicant submits that the claims should be in a condition for allowance.

With respect to the 35 U.S.C. § 102(b) rejections to claims 1-5, Applicant respectfully traverses the rejections for failing to provided each and every claimed limitation. With respect to claim 1, the Office Action has not shown how the '360 reference teaches a modulator and an amplifier that coupled to one another via an adder. The Office Action appears to assert that the '360 reference teaches, via FIG. 2, that nodes connecting R1 to L1 and R2 to L2 correspond to the claimed adder. Applicant notes that the relevant discussion of FIG. 2 (Col. 3 lines 7-30) does not specifically mention these nodes. Instead, the '360 reference teaches that MOS transistors M1, M2, M2 and M4 operate as amplifiers for signals derived from inductors L1 and L2 summed with current from capacitors C1 and C2 in resistors R1 and R2. Applicant fails to see how either of these nodes corresponds to the claimed adder as they are not taught to be used as adders, they are not taught to couple the modulator to the amplifier, and they are not taught to provide feedback to the LC tank circuit. Thus, the '360 reference does contain corresponding teachings for each and every claimed limitation of claim 1.

With regards to claims 2-5, each of the claims depend from claim 1, and thus, necessarily contain all the limitations of claim 1 and, as discussed above, the '360 reference does not teach all of the limitations of claim 1. Moreover, in attempting to address various limitations of the dependent claims 2-5, the Office Action appears to characterize aspects of the '360 reference's FIG. 2 circuit in a manner contrary to the teachings of the '360 reference. For instance, with regard to claims 2-4 and their respective limitations directed to various buffers, the Office Action asserts that transistors Q5, Q6, Q7 and Q8 are buffer transistors. Applicant submits that, contrary to the Office Action's assertion, these transistors are taught to be used as amplifiers. More specifically, Q5 and Q6 are used as an amplifier circuit with a gain that is dependent

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upon the voltage of VCONP, while Q7 and Q8 are used as an amplifier circuit with a gain that is dependent upon the voltage of VCONN. *See, e.g.*, FIGs 1 and 2 and Col. 2, lines 49-67.

Without correspondence for each and every claimed limitation, the rejections cannot stand. Accordingly, Applicant requests that the rejections to claims 1-5 be withdrawn.

With respect to the 35 U.S.C. § 103(a) rejection of claim 6, Applicant respectfully traverses the rejection. Claim 6 depends from claim 1 and necessarily contains all the limitations of claim 1. The Office Action appears to rely upon the teachings of the '360 reference to provide correspondence for each of the claimed limitations of claim 1. In view of the above discussion, the Office Action has not shown how the '360 reference teaches each of the limitations of claim 1, nor has the Office Action shown how the '509 reference teaches the limitations of claim 1.

Moreover, the Office Action fails to provide adequate motivation or suggestion to modify the '360 reference using the teachings of the '509 reference. The Office Action merely asserts that the '509 reference uses a VCO and a PLL and that the combination is conventional. Such unsupported assertions are insufficient to establish motivation or suggestion to combine as the Office Action has failed to show any motivation to use the specific teachings of the '360 reference (FIG. 2) with the '509 reference. Moreover, Applicant respectfully traverses what appears to be an assertion by the Office Action that the FIG. 2 circuit of the '360 reference is conventionally used by TV tuning circuits. More specifically, Applicant submits that the Office Action lacks support for the assertion that "these VCO oscillators are implemented conventionally with TV tuning circuits." Applicant notes that the VCO taught by the '509 reference (e.g., FIG. 1) bears little resemblance to the circuit taught by FIG. 2 of the '360 reference. Moreover, neither of the references provides support for the assertion that the circuit of FIG. 2 is a conventional VCO used by TV tuners.

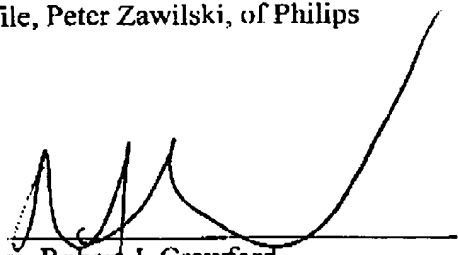
Without a correspondence for each and every claimed limitation the rejections cannot stand. Accordingly, Applicant requests that the rejection to claim 6 be withdrawn.

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In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of Philips Corporation at (408) 474-9063.

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